

REMARKS

Applicants maintain and incorporate by reference herein those arguments previously advanced on pages 2-6 of Response F, filed May 27, 2005. Applicants respectfully request that the Examiner reconsider those arguments and withdraw the outstanding Section 103 rejection. Additionally, although Applicants do not agree that the Examiner's proposed combination is proper, or that claims 6 and 10-12 read upon the Examiner's proposed combination, Applicants have further amended independent claim 6 herein solely in the interests of prosecution. Accordingly, Applicants respectfully request that the Examiner consider the following arguments and expansions upon previous arguments, in light of this amendment.

Specifically, independent claim 6 of the present invention has been amended to further clarify, among other things, that the frame in the housing directly supports the liquid crystal panel, and that the hinge mechanism attaches to the frame via screw holes in the frame itself. Although no such clarifications should have been necessary, these additional claim features even more clearly describe an apparatus that is neither taught nor suggested by either of the cited prior art references, alone or in combination.

Applicants again wish to point out that these Amendments should not have been necessary, because the Examiner has not established a *prima facie* case of obviousness under the requirements of Section 103. The Examiner admits, on page 3 of the February 9, 2005 Office Action, that the Matsuoka reference (U.S. 6,101,451) does not teach a hinge

mechanism, or a hinge mechanism that includes a supporting member, a connecting member rotatably supported by the supporting member by a hinge shaft, and a connecting member connected to the frame. The Examiner cites only the Min reference (U.S. 6,024,335) for teaching such features, but the Examiner does not cite to any teaching or suggestion within either prior art reference for the motivation to combine the references as proposed by the Examiner. Instead, the Examiner provides only a cursory declaratory statement (first full paragraph on page 4 of the February 9, 2005 Office Action) that the combination would have been obvious to those skilled in the art. This statement, however, includes no citation to any objective reference as support, and therefore can only describe the Examiner's own personal opinion. Such declaratory statements of opinion, however, are insufficient to establish the required motivation for an obviousness rejection.

Unless the motivation to combine the different technologies from different respective references is based on principles well-known in the art, the motivation for the proposed combination must appear in one or more of the cited prior art references themselves. See In re Lee, 277 F.3d 1338, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002). And, whether the motivation for the combination is based on well-known principles or is taught in the prior art, the Examiner is required to cite to such objective support on the record as part of the *prima facie* case of obviousness. See id. The United States Court of Appeals for the Federal Circuit has expressly rejected cursory and conclusory statements of opinion as satisfying this requirement for the motivation to combine references under Section 103.

Without such clear, objective support for the combination, the proposed combination demonstrates an impermissible use of hindsight by the Examiner.

The Examiner's failure to cite to any motivation for the proposed combination is highly significant in this case, because conventional devices known in the art do not have the configuration of the present invention. Conventional liquid crystal units are known to include a frame enclosed within a housing. Accordingly, conventional hinge mechanism are attached to the exterior housing of the units only, because only the housing of the unit is exposed for exterior attachments. As described on pages 2-3 of the present Specification, such conventional housings need to be constructed of strong materials to attach the hinge mechanism to the housing.

In contrast, the present inventors claim a novel configuration to the structure of a liquid crystal display unit that avoids unnecessary costs and weight requirements that are associated with housings that must be made from strong materials. The present invention features that the hinge mechanism is attached to the frame, instead of the housing (the frame and housing recited to be separate elements), which is different from the configurations of the prior art. The present inventors are able to construct the frame of materials (metal generally) capable of supporting the hinge mechanism instead of the housing (typically much larger than the frame). Neither cited prior art reference even suggests these advantages realized by the present invention, and therefore the rejection based on obviousness is even further inappropriate. The Examiner has an additional burden to consider such advantages

over all prior art when evaluating the appropriateness of maintaining an obviousness rejection. The Examiner, however, has apparently not done so. Accordingly, for all of the foregoing reasons, the outstanding Section 103 rejection based on a combination of Matsuoka and Min should be withdrawn.

Applicants similarly traverse the additional rejections of claims 7, 9, and 13 because these claims all depend directly or indirectly from independent claim 6, and therefore include all of the features of the base claim, plus additional features. With respect to claim 8, however, the rejection of this claim has been rendered moot by the cancellation of claim 8 herein.

For all of the foregoing reasons, Applicants submit that this Application, including claim 6-7 and 9-13, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

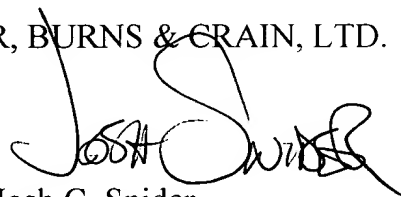
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